

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division

IRA D. SOCOL,	)	
	)	
Plaintiff	)	
	)	
v.	)	Case No. 3:18cv00090
	)	
ALBEMARLE COUNTY SCHOOL BOARD	)	
	)	
and	)	
	)	
MATTHEW S. HAAS, individually and as Superintendent	)	
of Albemarle County Public Schools,	)	
	)	
Defendants.	)	
_____	)	

**PLAINTIFF’S UNOPPOSED MOTION FOR CONTINUANCE**

Plaintiff Ira David Socol (“Mr. Socol”), by counsel, respectfully moves this Court for the continuance of the trial presently scheduled for February 9-12, 2021. Mr. Socol seeks a continuance to allow the parties time to conclude discovery and potentially conduct mediation in the wake of the continuing COVID-19 pandemic. In further support of this Motion, Mr. Socol states as follows.

1. This is a civil rights action brought by Ira David Socol against the Albemarle County School Board<sup>1</sup> and Dr. Matthew Haas (“Dr. Haas”), pursuant to 42 U.S.C. § 1983, for violations of Mr. Socol’s due process rights.

2. On June 8, 2020, this Court entered a revised Scheduling Order (the “Revised Scheduling Order”) pursuant to Federal Rule of Civil Procedure 16(b) setting this matter for trial beginning on February 9, 2021. [ECF No. 31]

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<sup>1</sup> The Court dismissed the Albemarle County School Board from this suit in its June 25, 2019 Order. [ECF No. 22].

3. The Scheduling Order also set November 16, 2020 as the date by which the parties must complete discovery. [*Id.*]

4. On March 12, 2020, Virginia Governor Ralph Northam declared a state of emergency in the Commonwealth of Virginia in response to the spread of COVID-19. *See Governor Northam Declares State of Emergency, Outlines Additional Measures to Combat COVID-19*. See <https://www.governor.virginia.gov/newsroom/all-releases/2020/march/headline-853537-en.html>. Governor Northam's has subsequently issued Executive Orders related to the COVID-19 on March 30, 2020, May 4, 2020, May 14, 2020 May 26, 2020, June 2, 2020, June 9, 2020, June 22, 2020, July 30, 2020, August 3, 2020, and November 13, 2020. See <https://www.governor.virginia.gov/executive-actions/>.

5. On March 16, 2020, the Chief Judge of this Court issued a Standing Order curtailing the proceedings to be heard before the Court due to the COVID-19 pandemic.

6. Moreover, in obedience of the social distancing guidelines put into place by the Centers of Disease Control, the parties were unable to conduct mediation.

7. Due to the delay created by the COVID-19 pandemic, Mr. Socol requests a continuance for a period to be determined by the Court for the purpose of completing discovery and for the opportunity of mediation.

8. A continuance will ensure that the parties will have the flexibility of complying with the evolving guidelines published by the prevailing public health authorities.

9. Counsel for Mr. Socol represents that counsel for Dr. Haas does not oppose this Motion.

10. Mr. Socol therefore respectfully requests that the trial in this matter be continued to an alternative date to be determined by the Court, allowing more time to complete discovery.

WHEREFORE, Mr. Socol respectfully requests that the Court (i) grant this Motion, (ii) reschedule the hearing in this matter to an alternative date, (iii) modify the trial deadlines accompanying the hearing date accordingly, and (iv) enter any further relief it deems just and proper.

Respectfully Submitted,  
IRA D. SOCOL  
By Counsel

s/ Jeffrey R. Adams  
Jeffrey R. Adams (VSB No. 43411)  
Lucas I. Pangle (VSB No. 90963)  
Wharton, Aldhizer & Weaver, PLC  
125 S. Augusta Street  
Staunton, Virginia 24401  
Telephone: 540-885-0199  
Facsimile: 540-213-0390  
Email: [jadams@wawlaw.com](mailto:jadams@wawlaw.com)  
[lpangle@wawlaw.com](mailto:lpangle@wawlaw.com)  
*Counsel to Ira D. Socol*

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### **CERTIFICATE OF SERVICE**

I hereby certify that on November 18, 2020, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing to the attorneys registered with the ECF system.

Jennifer D. Royer, Esq.  
Royer Law Firm, P.C.  
PO Box 4525  
Roanoke, Virginia 24015  
jroyer@royerlawfirm.com  
*Counsel for Defendants*

s/ Jeffrey R. Adams  
Jeffrey R. Adams (VSB No. 43411)  
Lucas I. Pangle (VSB No. 90963)  
Wharton, Aldhizer & Weaver, PLC  
125 S. Augusta Street  
Staunton, Virginia 24401  
Telephone: 540-885-0199  
Facsimile: 540-213-0390  
Email: [jadams@wawlaw.com](mailto:jadams@wawlaw.com)  
[lpangle@wawlaw.com](mailto:lpangle@wawlaw.com)  
*Counsel to Ira D. Socol*